

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

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CHAD M. BUSTO,

*Plaintiff,*

v.

HILTON WORLDWIDE  
HOLDINGS INC.,

*Defendant.*

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Case No. 1:22CV839 (CMH/IDD)

**DEFENDANT’S MOTION TO DISMISS**

Defendant Hilton Worldwide Holdings Inc. (“Hilton”), pursuant to L. Civ. R. 7(A) and Fed. R. Civ. P. 12(b)(1), (4), (5), and (6), moves to dismiss the complaint filed by Plaintiff Chad M. Busto (“Busto”) for failure to allege subject matter jurisdiction, insufficient process, insufficient service of process, and failure to state a claim. Busto has not alleged the requisite facts to establish federal question jurisdiction or diversity jurisdiction. Process was insufficient because the summons did not “name the court” or “bear the court’s seal.” Service was insufficient because process was attempted to be served by Busto rather than a non-party. Finally, Busto fails to state any claim in his pleadings. For these reasons, as more fully discussed in the accompanying brief, Hilton asks the Court to dismiss Busto’s complaint.

Dated: August 5, 2022

Respectfully submitted,  
HILTON WORLDWIDE HOLDINGS INC.  
*By Counsel*

s/ Brooks H. Spears  
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### **CERTIFICATE OF SERVICE**

I certify that, on August 5, 2022, I caused the foregoing document to be filed via the Court's CM/ECF system, which will send notice to all registered parties and counsel of record.

s/ Brooks H. Spears  
Brooks H. Spears (VA Bar No. 86391)